1 2 IN THE UNITED STATES DISTRICT COURT 3 FOR THE NORTHERN DISTRICT OF CALIFORNIA 4 5 MICHELLE BARBER, No. C 08-04883 CW 6 Plaintiff, CONDITIONAL ORDER 7 OF DISMISSAL v. 8 CRESCENT CITY, 9 Defendant. 10 11 12 The parties hereto, by their counsel, having advised the 13 Court that they have agreed to a settlement of this cause, 14 IT IS HEREBY ORDERED that this cause be dismissed with prejudice; 15 provided, however, that if any party hereto shall certify to this 16 Court, with proof of service of a copy thereon on opposing counsel, 17 within 90 days from the date hereof, that the agreed consideration for 18 said settlement has not been delivered over, the foregoing Order shall 19 stand vacated and this cause shall forthwith be restored to the 20 calendar to be set for trial. 21 IT IS SO ORDERED. 22 23 Dated: 12/23/2010 24 United States District Judge 25 26

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